UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,910	01/11/2002	Frank Lee	TRNDP006	7252

22434   7590   06/29/2007
BEYER WEAVER LLP
P.O. BOX 70250
OAKLAND, CA 94612-0250

EXAMINER
MOORTHY, ARAVIND K

ART UNIT	PAPER NUMBER
2131	

MAIL DATE	DELIVERY MODE
06/29/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/043,910	LEE ET AL.
	Examiner	Art Unit
	Aravind K. Moorthy	2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **3** MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 April 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-8,10-17,21-25 and 36-38</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-8,10-17,21-25 and 36-38</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>11 February 2002</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All b)☐ Some * c)☒ None of:

         1.☒ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1. This is in response to the amendment filed on 5 April 2007.

2. Claims 1-8, 10-17, 21-25 and 36-38 are pending in the application.

3. Claims 1-8, 10-17, 21-25 and 36-38 have been rejected.

4. Claims 9, 18-20 and 26-35 have been cancelled.

Response to Arguments

5. Applicant's arguments with respect to claims 1-8, 10-17, 21-25 and 36-38 have been

considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-7, 10-17, 19-25 and 36-38 are rejected under 35 U.S.C. 102(e) as being

anticipated by Touboul U.S. Patent No. 6,804,780 B1 .

As to claim 1, Touboul discloses a system for identifying undesirable content in

responses sent in reply to a user request for content, the system comprising:

a user input device that generates a request for content including an

address of a target server and a protocol field [column 6, lines 52-62];

a network component that executes a redirection program, the redirecting

program including a scan module that receives the user request for content and is

capable of identifying the request as a request for content by scanning the protocol field and identifying a content-related protocol [column 6 line 63 to column 7 line 20], and a proxy module that modifies the request for content by adding a redirection destination header to the request so that it is redirected to a proxy server [column 7, lines 31-43];

a network that routes the request for content to the proxy server [column 7, lines 31-43]; and

the proxy server that receives user-defined configuration data during a negotiation phase of establishing a connection between the proxy module and proxy server, receives the request for content, removes the redirection header, forwards the request to the target server, and receives a response from the target server [column 7, lines 31-59], the proxy server having a content scanning module to scan the response and a user-defined configuration data scanning module to apply user-defined configuration data to the response [column 7, lines 31-59].

As to claim 2, Touboul discloses that the proxy server identifies undesirable content in the response and processes the response according to defined parameters [column 8, lines 7-20].

As to claim 3, Touboul discloses that the proxy server sends at least a portion of the response to the user, the portion of the response not including the undesirable content [column 6 line 63 to column 7 line 20].

As to claim 4, Touboul discloses that the proxy server sends a notification message back to the user, the notification message containing data related to the undesirable content [column 7, lines 44-59].

As to claim 5, Touboul discloses the system further comprising:

a user preference module that receives user-defined parameters utilized by

the proxy server when processing the response [column 7, lines 31-43].

As to claims 6 and 19, Touboul discloses that the proxy module redirects the request to

the proxy server by modifying the request [column 6 line 63 to column 7 line 20].

As to claims 7 and 20, Touboul discloses that the proxy module modifies the request by

adding a redirection destination header to the request [column 7, lines 31-43].

As to claim 10, Touboul discloses that the defined parameters are proxy server default

parameters [column 7, lines 31-43].

As to claim 11, Touboul discloses that the defined parameters are user-defined

parameters [column 7, lines 31-43].

As to claim 12, Touboul discloses that the defined parameters are a combination of user-

defined parameters and proxy server default parameters [column 7, lines 31-43].

As to claims 13 and 14, Touboul discloses that the scan module and the proxy module are

located in a network gateway device [column 4, lines 4-22].

As to claim 15, Touboul discloses that the network gateway device further comprises a

firewall and a router [column 4, lines 4-22].

As to claim 16, Touboul discloses a method for identifying undesirable content in responses sent in reply to a user request for content, the method comprising:

receiving, at a redirection program executing on a network computing device, input from a user computer including at least one request for content addressed to a target server, the request having an address of the target server and a protocol field [column 6, lines 52-62];

identifying at a scan module in the redirection program the request for content by scanning the protocol field and identifying a content-related protocol [column 6 line 63 to column 7 line 20];

at a proxy module in the redirection program, modifying the request by adding a redirection header to the request, thereby redirecting the request to a proxy server [column 6 line 63 to column 7 line 20];

receiving the request for content at the proxy server [column 6 line 63 to column 7 line 20];

receiving user-defined configuration data at the proxy server during a negotiation phase of establishing a connection between the proxy module and proxy server [column 7, lines 31-59];

removing the redirection destination header from the request at the proxy server [column 6 line 63 to column 7 line 20];

sending the request for content from the proxy server to the target server for generation of a response [column 8, lines 44-59];

receiving the response from the target server at the proxy server [column 8, lines 44-59];

decoding the response at the proxy server [column 8, lines 44-59];

scanning the decoded response for a computer virus, junk e-mail, or pornographic content at the proxy server [column 8, lines 44-59];

if a computer virus, junk e-mail or pornographic content is detected, processing the decode response at the proxy server according to the user-defined configuration data, re-encoding the response and appending a return address so that the response is sent to the user computer [column 9, lines 11-34]; and

if a computer virus, junk e-mail, or pornographic content is not detected, re-encoding the response and appending the return address so that the response is sent to the user computer [column 9, lines 11-34].

As to claim 17, Touboul discloses the method further comprising:

identifying undesirable content in the response [column 6 line 63 to column 7 line 20];

modifying the response to remove the undesirable content [column 6 line 63 to column 7 line 20]; and

sending the modified response from the proxy server to the user computer [column 6 line 63 to column 7 line 20].

As to claim 21, Touboul discloses that the request for content is redirected to the proxy server by establishing a session with the proxy server [column 6 line 63 to column 7 line 20].

As to claim 22, Touboul discloses the method further comprising:

receiving input of at least one user-defined parameter at the proxy module

which stores the parameter in a database and may forward to the proxy server

during negotiation phase of the connection with the proxy server [column 7, lines

31-43].

As to claims 23, Touboul discloses that the user-defined parameter is input using a

browser application [column 7, lines 31-43].

As to claim 24, Touboul discloses that the user-defined parameter is sent to the proxy

server by modifying the request for content [column 7, lines 31-43].

As to claim 25, Touboul discloses that the user-defined parameter is sent to the proxy

server during a session established with the proxy server [column 7, lines 31-43].

As to claim 36, Touboul discloses storing the user-defined configuration data at the proxy

module [column 7, lines 31-43].

As to claim 37, Touboul discloses storing the user-defined configuration data at the proxy

server [column 7, lines 31-43].

As to claim 38, Touboul discloses retrieving the previously stored user-defined

configuration data at the proxy server when processing the decoded response [column 7, lines

31-43].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Touboul U.S. Patent No. 6,804,780 B1 as applied to claim 1 above, and further in view of Smithson et al US 6,898,715 B1.

As to claim 8, Touboul does not teach that the proxy server further quarantines

undesirable content.

Smithson et al teaches a proxy that quarantines computer virus outbreaks [column 6 line

13 to column 7 line 17].

Therefore, it would have been obvious to a person having ordinary skill in the art at the

time the invention was made to have modified Touboul so that the proxy server would have

quarantined undesirable content it was content containing a virus.

It would have been obvious to a person having ordinary skill in the art at the time the

invention was made to have modified Touboul by the teaching of Smithson et al because it

prevents the undesirable content (i.e. virus) to spread throughout the network [column 1, lines

48-64].

Conclusion

8.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.   Accordingly, **THIS ACTION IS MADE FINAL.**   See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action.   In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action.   In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K. Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795.   The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Aravind K Moorthy
June 21, 2007

SYED A. ZIA
PRIMARY EXAMINER

PRI: A
            IINER